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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Greystone CDE, LLC,	Docket No. 07 civ. 8377 (RPP)
Plaintiff,	
- against -	DECLARATION IN SUPPORT
Santa Fe Pointe, L.P.,	OF CROSS-MOTION TO DISMISS
Santa Fe Pointe Management, LLC,	DEFENDANTS' COUNTERCLAIMS;
Rant LLC, and	IN THE ALTERNATIVE FOR A
Theotis F. Oliphant,	MORE DEFINITE STATEMENT; AND
Defendants.	FOR SUMMARY JUDGMENT

-----X

I, Stephen M. Harnik, under penalty of perjury as prescribed in 28 U.S.C. § 1746, hereby declare as follows:

1. I am a member of the bar of the State of New York and of this Court, and make this Declaration in support of the motion of plaintiff, Greystone CDE, LLC AND Greystone Servicing Corporation, Inc. pursuant to Rules 12(b)(5)& (6), 13(h) 19 & 20 and 56 of the Federal Rules of Civil Procedure, for dismissal of the counterclaims , or in the alternative, for a more definite statement; and for summary judgment; and for

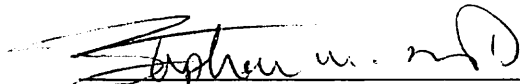
such other and further relief as the Court deems just and proper under the circumstances.

EXHIBITS

Annexed as exhibits hereto are originals or true copies of the following:

- Exhibit A: Greystone Servicing's Notice of Motion and Motion to dismiss Plaintiff's Second Amended Complaint and Memorandum of Points and Authorities in Support thereof dated March 4, 2008 (California action).
- Exhibit B: Greystone Servicing's Engagement Letter dated August 29, 2006 (California action).
- Exhibit C: Transcript of Oral Argument dated February 14, 2008. (New York action).
- Exhibit D: Summons dated March 5, 2008 issued against Greystone Servicing (New York action).
- Exhibit E: Affidavit of Cristina Farina, sworn to March 14, 2008.

Dated: New York, New York
March 17, 2008


STEPHEN M. HARNIK (SH 9889)